

PART 36—EXPORT AND IMPORT OF BYPRODUCT MATERIAL [ADDED]

Sec.

- 36.1 Purpose and scope.
 36.2 Communications.
 36.3 License requirements for export of byproduct material.

SPECIFIC LICENSES

- 36.11 Applications for specific licenses.
 36.12 Issuance of specific licenses for export of byproduct material.

GENERAL LICENSES

- 36.21 Export of certain byproduct material to countries other than Schedule A countries.
 36.22 Export of certain quantities of tritium and polonium 210.
 36.23 Export of americium 241.
 36.31 General license for import.

SCHEDULES

- 36.50 Schedule A.

Cross Reference Table

AUTHORITY: The provisions of this Part 36 issued under secs. 81, 82, 161, 182, 183, 68 Stat. 935, 948, 953, 954; 42 U.S.C. 2111, 2112, 2201, 2232, 2233.

SOURCE: The provisions of this Part 36 appear at 30 F.R. 8201, June 26, 1965, unless otherwise noted.

§ 36.1 Purpose and scope.

This part prescribes regulations governing specific licenses for the export of byproduct material and establishes certain general licenses for the export from and import into the United States of byproduct material. The provisions and requirements of this part are in addition to, and not in substitution for, other requirements of this chapter. In particular, the provisions of Part 30 of this chapter apply to applications and licenses subject to this part.

§ 36.2 Communications.

(a) All communications and reports concerning the regulations in this part with regard to export should be addressed to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545.

(b) All communications and reports concerning the regulations in this part with regard to import should be addressed to the Director, Division of Materials Licensing, U.S. Atomic Energy Commission, Washington, D.C., 20545.

(c) Communications and reports may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C.; at 4915 St. Elmo Avenue, Bethesda, Md.; or at Germantown, Md.

§ 36.3 License requirements for export of byproduct material.

(a) No person shall export byproduct material from the United States except as authorized pursuant to the regulations in this part and Part 30.

(b) No person shall export byproduct material from the United States knowing or having reason to believe that it is to be reexported directly or indirectly, in whole or in part, from the country of ultimate destination shown on the export license, shipper's export declaration, bill of lading, or commercial invoice, unless either:

(1) The reexport has been authorized by the Commission; or

(2) At the time of export, the material may be exported directly from the United States to the new country of ultimate destination under the terms of one of the general licenses established in this part.

SPECIFIC LICENSES

§ 36.11 Applications for specific licenses.

Applications for specific licenses for export of byproduct material from the United States shall be filed in triplicate on Form AEC-7 with the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. Applications may also be filed in person at the Commission's offices at 1717 H Street NW., Washington, D.C.; at 4915 St. Elmo Avenue, Bethesda, Md.; or at Germantown, Md.

§ 36.12 Issuance of specific licenses for export of byproduct material.

The Commission may, upon application by an interested person, issue a license authorizing the export of byproduct material to a country or destination listed in § 36.50, Schedule A, for the export of byproduct material in quantities or forms not authorized for export under general license if, in the opinion of the Commission, the proposed export would not be inimical to the common defense and security.

GENERAL LICENSES

§ 36.21 Export of certain byproduct material to countries other than Schedule A countries.

A general license designated AEC-GL-3621 is hereby issued authorizing any licensee of the Commission or of an agreement State to export from the United States byproduct material covered by his license having an atomic number from 3 to 83, inclusive, or tritium when contained in luminous safety devices installed in aircraft as generally licensed items pursuant to § 31.7 of this chapter, to any foreign country except countries or destinations listed in § 36.50, Schedule A.

[30 F.R. 15285, Dec. 10, 1965]

§ 36.22 Export of certain quantities of tritium and polonium 210.

(a) A general license designated AEC-GL-3622 is hereby issued authorizing any licensee of the Commission or of an agreement State to export from the United States to any foreign country except Poland or Rumania or countries or destinations listed in § 36.50, Schedule A, 5,000 curies of tritium and 5,000 curies of polonium 210 in a calendar quarter. Not more than 1,000 curies of tritium may be exported by any person to any one country or destination in a calendar quarter and not more than 100 curies of tritium may be exported by any person in a single shipment under this general license. Exports under this general license may be in one or more of the following forms or products only:

- (1) Tritium activated luminous paint;
- (2) Tritium labeled organic compounds;
- (3) Tritiated accelerator targets;
- (4) Polonium 210 static eliminators;
- (5) Polonium 210 neutron sources;
- (6) Tritium or polonium 210 calibration standards;
- (7) Luminescent light sources;
- (8) Tritium sources for chromatography instruments;
- (9) Electron tubes; or
- (10) Tritium as a contaminant of helium 3 in a concentration not to exceed 2.5 millicuries of tritium per liter of helium 3.¹

CODIFICATION: In paragraph (a), the first sentence was amended, 30 F.R. 15285, Dec. 10, 1965.

(b) A person exporting byproduct material pursuant to the general license established by paragraph (a) of this section, shall file with the Collector of Customs, or the Postmaster, one copy, in addition to those otherwise required, of the Shipper's Export Declaration, covering each export, marked for transmittal to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C., 20545. In addition to such other information as may be required, the following information shall be included in the Shipper's Export Declaration: Identification of the byproduct material; the quantity in curies; and the ratio of tritium to the total quantity of hydrogen if the material is tritium-activated luminous paint.

§ 36.23 Export of americium 241.

A general license designated AEC-GRO-BMG is hereby issued authorizing any person to export americium 241 from the United States to any foreign country except Poland or Rumania or countries or destinations listed in § 36.50, Schedule A.

§ 36.31 General license for import.

A general license is hereby issued authorizing any person to import into the United States byproduct material which he is authorized to possess in the United States under a specific or general license issued by an agreement State.

[30 F.R. 15285, Dec. 10, 1965]

SCHEDULES

§ 36.50 Schedule A.

- (a) Albania.
- (b) Bulgaria.
- (c) China, including Manchuria (and excluding Taiwan (Formosa)) (includes Inner Mongolia; the provinces of Tsinghai and Sikkang; Sinkiang; Tibet; the former Kwantung Leased Territory, the present Port Arthur Naval Base Area and Liaoning Province).

¹ Export shipments of helium gas are subject to the licensing authority and regulations of the Department of State. Issuance of a specific or general license by the Commission for tritium contained in helium 3 does not relieve any person from complying with the licensing requirements and regulations of the Department of State applicable to the export of helium 3.

- (d) Communist-controlled area of Viet Nam.
 (e) Cuba.
 (f) Czechoslovakia.
 (g) East Germany (Soviet Zone of Germany and the Soviet Sector of Berlin).
 (h) Estonia.
 (i) Hungary.
 (j) Latvia.
 (k) Lithuania.
 (l) North Korea.
 (m) Outer Mongolia.
 (n) Union of Soviet Socialist Republics.

CROSS REFERENCE TABLE

NOTE: This table is for convenience to show placement in Part 36 of regulations in former Parts 30 and 31, now reorganized and recodified as Parts 30 through 36.

<i>New section</i>	<i>Old section</i>
36.1-----	New
36.2-----	New
36.3-----	30.33 (a) and (h)
36.11-----	New
36.12-----	30.33(e)
36.21-----	30.33(b)
36.22-----	30.33 (d) and (f)
36.23-----	30.33(g)
36.50-----	30.75